

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Muhammad Malik v Herlinda C Castaneda**

Docket No. **261222**

L.C. No. **03-317862-NI**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction since appellant failed to file the claim within 21 days of the entry of the January 24, 2005 order denying his timely motion for reconsideration of the September 21, 2004 final order. MCR 7.202(6)(a)(i), 7.203(A)(1), and 7.204(A)(1)(b). Unfortunately, the filing of a motion to tax costs did not extend the time that appellant had to file his appeal. See, e.g., *Baitinger v Brisson*, 230 Mich App 112, 116; 583 NW2d 481 (1998) (motion for mediation sanctions). If appellant still wants to challenge the orders in question, he must file a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(5).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 15 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk